

*The actions delineated below were taken in open session of the EPSB at the March 14, 2005 regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the EPSB, 100 Airport Road, 3rd Floor, Frankfort, KY 40601.*

**Education Professional Standards Board (EPSB)  
Summary Minutes of the Business Meeting  
EPSB Offices, 100 Airport Road, 3rd Floor  
Frankfort, Kentucky  
March 14, 2005**

**Members Present:**

Lonnie Anderson  
Jim Applegate  
Doris Barlow  
Wally Campbell  
Lydia Coffey  
Sam Evans  
Kent Juett  
Steve Lin  
Rita Presley  
Steve Schenck (for Gene Wilhoit)  
Wilson Stone  
Tom Stull  
Ellie Thompson  
Mark Wasicsko  
Joe Welch

**Members Absent:**

Kristin Gregory  
Linda Livers

**Call to Order**

Chair Lydia Coffey called the meeting to order at 9:00 AM ET.

**Approval of Minutes**

*Motion made by Ms. Ellie Thompson, seconded by Dr. Mark Wasicsko, to approve the minutes of the January 24, 2005 EPSB meeting.*

Vote: Unanimous

**Open Speak**

No requests were made for Open Speak.

**Report of the Executive Director and Staff**

Dr. Tom Layzell, President, Council on Postsecondary Education (CPE) reviewed the statewide public agenda for postsecondary education titled *Postsecondary Education and Kentucky's Future: The Five Questions We All Must Answer, 2005-2010*. He explained the public agenda is in its final stages and welcomed EPSB's input before it is finalized by the CPE board in July. One EPSB board member asked Dr. Layzell to again review the data on middle and secondary teachers in Kentucky with majors or concentrations in their

subject field. The EPSB has compiled this data at the state level which is different than the national data being reported in the public agenda. Dr. Layzell indicated that staff would check the data.

Dr. Zella Wells updated the board on the progress and success of the Kentucky Teacher Internship Program (KTIP). To commemorate the 20th year anniversary, EPSB staff is working Governor Fletcher's office on a Gubernatorial Proclamation recognizing the program. In 1995, Kentucky was one of the first states in the nation to implement a teacher induction program. KTIP is recognized as one of the country's most comprehensive induction models for teacher internships and an estimated 40,000 teachers have been through KTIP training.

Five new staff members were introduced: 1) Ms. Cindy Godsey, Program Consultant, Division of Certification, will coordinate the LEAD process; 2) Ms. Cindy Owen, Program Manager, Division of Professional Learning and Assessment, will oversee KTIP, the National Board for Professional Teaching Standards (NBPTS) certification, the Continuing Education Option (CEO), and the Kentucky Education Preparation Program (KEPP) Report Card; 3) Ms. Marcie Puckett, Program Consultant, Division of Professional Learning and Assessment, will coordinate the NBPTS certification and the CEO; 4) Mr. Phillip Mills, Systems Consultant, Division of Professional Learning and Assessment, will oversee the agency's web applications; and 5) Mr. Darren Stewart, Systems Engineer, Division of Professional Learning and Assessment, will oversee the agency's database and network system.

Dr. Rogers reported the following two items are now available on the EPSB website:

- Highly Qualified Report tool -- This tool will assist school districts in complying with the No Child Left Behind reporting requirements. The deadline for reporting is March 31, 2005.
- Kentucky Educator Certification Inquiry (KECI) -- This new function will allow superintendents to obtain information on the specific teaching (course content) permissions for every certified person in their district as well as a reverse look-up function that will obtain the name(s) of every certified person in the district who is legally permitted to teach a particular course content.

Dr. Rogers also reported that the board's legislative package bill passed both the House and Senate and has been forwarded to the Governor for signature. Additionally, all five of the new board members confirmations were approved.

On February 26-27, Dr. Rogers attended the National Governor's Association meeting in Washington, DC. Governor Fletcher is going to appoint a Blue Ribbon Panel to address the issues of teacher compensation, working conditions/environment, incentives, and professional advancement. Staff of the EPSB has been asked to compile a draft agenda, charge, and plan for this panel.

Dr. Rogers also reported that EPSB staff had raised \$2,126 by bowling in the Big Brothers/Big Sisters fundraiser.

The following items were distributed to and reviewed by board members:

- *Emergency Non-Certified Personnel Program Second Quarter (October 1 - December 31, 2004) Report*
- a revised copy of the CPE draft of the Statewide Public Agenda for Postsecondary Education
- two copies of the *Kentucky Teacher*

### **Report of the Chair**

The chair had no items to report.

### **Information Item**

#### **St. Catharine College -- Request to Offer Elementary and Middle School Certification Programs including an Exploration of the Potential for an Option 7 Institute**

St. Catharine College has submitted a letter of intent to "explore with Board approval, elementary and middle school certification including an exploration of the potential for an Option 7 program parallel with the four year degree track." EPSB staff has met with representatives from St. Catharine and reviewed the *Accreditation of New Teacher Preparation Institutions* policy and regulation, the Pre-Conditions, and how to begin the accreditation process. Staff will schedule a Technical Assistance visit to the campus and will continue to provide assistance to administrators and faculty as documents are prepared for submission to the EPSB for approval.

### **Action Items**

#### **16 KAR 2:100, Junior Reserve Officers Training Corps (JROTC) Certification, Final Approval**

**2005-033**      *Motion made by Dr. Doris Barlow, seconded by Mr. Lonnie Anderson, to approve the amendments to 16 KAR 2:100, JROTC Certification.*

Vote: Unanimous

#### **16 KAR 7:010, Kentucky Teacher Internship Program, Final Approval**

**2005-034**      *Motion made by Dr. Wasicsko, seconded by Ms. Thompson, to approve the amendments to 16 KAR 7:010, KTIP, Final Approval.*

Vote: Unanimous

#### **Union College Emergency Review**

In September 2004, the EPSB accepted the Executive Director's recommendation that a follow-up visit be scheduled for Union College in the Fall 2004 to review the certification programs in elementary education, biology, and special education, all of which had less than 70 percent pass reported in the 2002-03 Title II Report.

As a result of follow-up visit, the Board of Examiners (BOE) team issued a report citing numerous concerns. The institution submitted a rejoinder to the BOE report addressing the cited concerns including a number of initiatives in the institution's plan of corrective action. The board commended the institution on their efforts and commitment to addressing the cited concerns.

Staff has reviewed the rejoinder and recommends the following requirements of the Educational Studies Unit at Union College:

- resubmit, by September 15, 2005, the Conceptual Framework (CF) and Continuous Assessment Plan (CAP) for review by all regulatory program review committees
- resubmit, by September 15, 2006, all currently approved programs to align with the revised CF and CAP within the following components:
  1. Professional Education Course syllabi
  2. Matrices to align with revised Specialty Professional Associations standards, if appropriate
  3. Candidate curriculum contracts
  4. Faculty list using the EPSB faculty matrix
- submit programs (in advance of state accreditation visit) by September 15, 2006
- schedule a state accreditation visit in two years (i.e., Fall 2007)
- raise the Praxis pass rate for Elementary Education, Special Education (Learning and Behavioral Disorders), and Biology to 80 percent by the 2004-05 Title II Report
- discontinue new program submissions until existing programs are in compliance with EPSB regulations and policies

Failure to achieve at least an 80-percent pass rate and fulfill the recommendations approved by the board will necessitate EPSB action pursuant to KRS 161.028(1)(e) and 16 KAR 5:010, Section 19.

**2005-035**      *Motion made by Mr. Anderson, seconded by Dr. Barlow, to accept staff recommendations as submitted on the Union College Emergency Review.*

Vote: Unanimous

**Morehead State University -- Alternative Route to Certification, Master of Arts in Teaching: Health and/or Physical Education, Grades P-12**

**2005-036**      *Motion made by Dr. Wasicsko, seconded by Dr. Barlow, to approve the Alternative Route to Certification, Master of Arts in Teaching: Health and/or Physical Education, grades P-12, program.*

Vote: Unanimous

**Waiver Request**

**2005-037**      *Motion made by Dr. Sam Evans, seconded by Mr. Anderson, to deny the request of Ms. Jolena Sizemore, to waive 16 KAR 8:020, Section 1, Requirements for Rank II. The board urges Ms. Sizemore to seek counsel from university personnel as to the amount of coursework that can be applied toward a Master's degree program in school guidance counseling.*

Vote: Yes - 13  
Recuse - 1 (Dr. Wasicsko)

**Exceptional Children Teacher Assignment Waiver Requests**

**2005-038**      *Motion made by Mr. Wilson Stone, seconded by Ms. Thompson, to approve the teaching assignment waivers as recommended by the Division of Exceptional Children Services and the Division of Certification.*

Vote: Unanimous

#### **Alternative Route to Certification Applications**

**2005-039**      *Motion made by Dr. Barlow, seconded by Mr. Kent Juett, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in chemistry, grades 8-12, for Ms. Daniela Ehemann.*

Vote: Yes - 13  
No - 1 (Dr. Evans)

**2005-040**      *Motion made by Ms. Thompson, seconded by Dr. Wally Campbell, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in chemistry, grades 8-12, for Ms. Deborah Houpt.*

Vote: Yes - 12  
No - 2 (Dr. Evans and Ms. Rita Presley)

**2005-041**      *Motion made by Ms. Steve Lin, seconded by Dr. Wasicsko, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in theatre, grades P-12, for Mr. Fred Cowden.*

Vote: Unanimous

**NOTE:** *At the January 2005 meeting, the EPSB approved (motion #2005-031), contingent upon passing scores from the January 8 Praxis exam, the alternative route to certification application in Spanish, grades P-12, for Ms. Jennifer Bobbitt. Ms. Bobbitt did not pass the January 8 Praxis exam and has been notified that she cannot be certified.*

#### **Worksession**

##### **Sexual Misconduct Training for Board Members and Investigators**

Pursuant to KRS 161.028(1) (h), Ms. Brenda Allen, General Counsel, conducted a worksession on Sexual Misconduct for board members and investigators.

**DISCIPLINARY MATTERS:  
MINUTES OF CASE REVIEW  
March 14, 2005**

*Motion made by Mr. Tom Stull, seconded by Ms. Thompson, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.701(c)&(j).*

Vote: Unanimous

*Motion made by Dr. Wasicsko, seconded by Ms. Thompson, to return to open session.*

Vote: Unanimous

The following board members concurred with the actions as listed below with the noted exceptions:

Lydia Coffey, Tom Stull, Mark Wasicsko, Steve Lin, Sam Evans, Joe Welch, Lonnie Anderson, Doris Barlow, Wilson Stone, Kent Juett, Ellie Thompson, Wally Campbell, and Rita Presley.

Attorneys present were Brenda Dinkins Allen, Alicia A. Sneed, Courtney T. Baxter, Cynthia Clay Grohmann, and Dianne Fleming.

**Initial Case Review**

<u>Case Number</u>	<u>Decision</u>
04-11131	Dismissed
04-11132	Hear
04-12156	Admonish
04-12155	Admonish
04-12157	Admonish
04-12162	Hear
04-12151	Admonish
04-12152	Admonish
04-12158	Hear
05-0101	Hear ( <i>Mr. Stone recused</i> )
05-0104	Hear
04-12161	Dismissed
04-12164	Admonish
04-12160	Admonish
04-12165	Hear
05-0102	Hear
04-12150	Hear
04-12143	Hear
04-12154	Hear
04-12163	Defer
05-0117	Hear
05-0234	Hear
05-0111	Hear
04-0688	Admonish

**Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
05-010	Approve
05-012	Approve
05-013	Approve
05-014	Approve
05-015	Approve
05-005	Deny
05-025	Approve
05-017	Approve
05-018	Approve
05-019	Approve
05-020	Approve ( <i>Dr. Evans dissented</i> )
05-021	Approve
05-022	Approve ( <i>Dr. Evans dissented</i> )
05-023	Approve
05-024	Approve
05-026	Approve
05-027	Approve
05-028	Defer
05-029	Defer
05-030	Approve
05-031	Approve
05-032	Approve
05-033	Approve
05-034	Approve
05-035	Approve
05-037	Approve
05-038	Approve ( <i>Dr. Evans dissented</i> )
05-039	Approve
05-040	Deny ( <i>Mr. Stull, Ms. Thompson dissented</i> )
05-041	Approve
05-042	Approve

**Agreed Orders**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
04-0798 (Jonathan Adams)	Accept Agreed Order suspending respondent's certificate for a period of 18 months from the date of acceptance of this Order by the Board. Respondent shall surrender the original and all copies of his certificate immediately by first class mail or personal delivery to the EPSB, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Reinstatement of respondent's certificate is expressly conditioned upon respondent providing, in addition to proof of any academic requirements, written evidence to the Board that he has completed 12

hours of professional development/training in the areas of ethics and teacher/student boundary issues as approved by the Board. Any expense for said professional development/training shall be paid by respondent. Should respondent fail to satisfy this condition, his certificate shall not be reinstated.

Vote: Unanimous

04-0571 (Gary Wallace)

Accept Agreed Order permanently revoking respondent's teaching certificate. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky at any time in the future. Respondent agrees that he is ineligible to hold a teaching certificate and he is voluntarily, knowingly, and intelligently surrendering his certificate for cause. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

Vote: Unanimous

03-08116 (Adam Tilton)

Accept Agreed Order revoking respondent's certificate. Respondent shall neither apply for, nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of 20 years from the date of acceptance of this Order by the Board. Upon acceptance of this Order, respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Failure to do so will result in further disciplinary action by the Board.

Vote: Unanimous

(04-0562) Kelli Fowler

Accept Agreed Order revoking respondent's certificate. Respondent shall surrender the original certificate and all copies of her certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky for a period of three years from the date of acceptance of this Order by the Board. At the conclusion of the three year period, issuance of any certificate to Respondent or on her behalf is expressly conditioned upon respondent providing, in addition to proof of any academic requirements, written evidence to the Board that she has completed 12 hours of professional development/ training in the areas of ethics and teacher/student boundary issues as approved by the Board. Any expense for said professional development/training shall be paid by respondent.

Should respondent fail to satisfy this condition, the Board shall deny any application for certification submitted by respondent or on her behalf.

Vote: Unanimous



03-12146 (Mitchell Sizemore) Accept Agreed Order revoking respondent's certificate for five years from December 1, 2003. Respondent shall surrender the original and all copies of his certificate that may be in his possession immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. The issuance of any Kentucky Teaching Certificate to respondent, or on his behalf at the conclusion of the five year revocation period is expressly conditioned upon him providing written evidence to the Board of his being assessed by a certified substance abuse counselor and proof of compliance with all treatment recommendations of that counselor. Failure to satisfy this condition will result in respondent's certificate not being reissued. Any cost associated with the assessment and treatment will be paid by respondent.

Vote: Unanimous

03-0698 (Bruce Thompson) Accept Agreed Order suspending respondent's professional teaching certificate for instructional leadership school superintendent; endorsement for elementary school principal, grades K-8; endorsement for secondary school principal, grades 7-12 for a period of two years beginning June 12, 2003. Respondent's Standard High School certificate grades 7-12 will remain intact. Respondent shall surrender the original and all copies of his certificate that may be in his possession immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Reinstatement of respondent's certificate for instructional leadership for school superintendent; endorsement for elementary school principal, grades K-8; endorsement for secondary school principal, grades 7-12 are conditioned upon respondent providing written evidence that he has been evaluated by a licensed chemical dependency counselor, that he has complied with any and all treatment recommendations of that counselor. The counselor must be approved by the Board. Any expense incurred for said counseling shall be paid by respondent. If respondent fails to satisfy this requirement, his certificate will not be reinstated.

Vote: Unanimous

03-0336 (Kathy Miele) Accept Agreed Order suspending respondent's teaching certificate for 90 days beginning from the date of acceptance of this Order by the Board. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Reinstatement of this certificate is conditioned upon respondent receiving 12 hours of professional development in the area of proper disciplinary techniques for special needs children. Respondent has satisfied that requirement by attending 12 hours of professional

development in area of Safe Crisis Management on November 7, 14, & 21, 2003.

Vote: Unanimous

04-0453 (Travis Truett)

Accept Agreed Order revoking respondent's teaching certificate. Respondent shall immediately surrender the original and all copies of his certificate to the Board, by delivery or mail, to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. This is a lifetime revocation and thus respondent shall never again apply for nor be issued a teaching certificate in the Commonwealth of Kentucky.

Vote: Unanimous

01-12169 (Allan K. Young)

Accept Agreed Order sanctioning respondent's teaching certificate as follows: 1) The Professional Certificate for Instructional Leadership – School Superintendent and the Endorsement for Secondary School Principal, Grades 7-12 are revoked. Respondent shall neither apply nor be issued an instructional leadership certificate or endorsement for school principal in the Commonwealth of Kentucky for a period of five years beginning October 20, 2003. At the conclusion of the five year period, issuance of any certificate to respondent shall be expressly conditioned upon respondent providing written proof to the Board at the time of application, that he has successfully completed the diversion program ordered by Franklin Circuit Court and that Case No. 02-CR-175 has been finally dismissed. Should respondent fail to satisfy this condition, the Board shall deny any application for certification submitted by respondent or on his behalf; and 2) The Standard High School Certificate shall remain intact. However, respondent is admonished for engaging in dishonest and/or fraudulent conduct. As a teacher, respondent is a role model to his students, community and profession. The Board reminds respondent that the Professional Code of Ethics for Kentucky School Certified Personnel requires each educator to uphold the dignity and integrity of his profession both inside and outside the classroom. Upon acceptance of this agreement by the Board, respondent shall immediately surrender the original and all copies of his certificate to the Board, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Failure to do so will result in further disciplinary action by the Board.

Vote: Unanimous

02-0680 (Bradley Stiltner)

Accept Agreed Order revoking respondent's teaching certificate. Respondent shall not apply or be issued a certificate in the Commonwealth of Kentucky for a period of ten years from the date of July 1, 2002. Respondent shall surrender the original and all copies of his certificate that may be in his possession immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. The issuance of any Kentucky Teaching Certificate to respondent, or on his behalf at the conclusion of the ten

year revocation period is expressly conditioned upon him providing written evidence to the Board of his being assessed by a certified substance abuse counselor and proof of compliance with all treatment recommendations of that counselor. Failure to satisfy this condition will result in respondent's certificate not being reissued. Any cost associated with the assessment and treatment will be paid by respondent.

Vote: Unanimous

02-0568 (Kathy Vires)

Accept Agreed Order revoking respondent's Professional Certificate for Instructional Leadership-School Superintendent; endorsement for Secondary School Principal; grades 7-12; Professional Certificate for Instructional Leadership-Supervisor of Instruction; grades K-12 for a period of three years beginning April 17, 2002. Respondent's Standard High School Certificate grades 7-12 is suspended for a period of two years beginning April 17, 2002. Respondent shall surrender the original and all copies of her Certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Further, the suspension of respondent Standard High School Certificate is automatically reinstated without re-application upon proof of satisfaction of all requirements of this Agreed Order. Reinstatement of respondent's Professional Certificate for Instructional Leadership-School Superintendent; endorsement for Secondary School Principal; grade 7-12; Professional Certificate for Instructional Leadership- Supervisor of Instruction; grade K-12 Level 2 is expressly conditioned upon respondent providing written proof of 12 hours of professional development in the area of ethics as approved by the Board. Any expense for such training shall be paid by respondent. Failure to satisfy this requirement will result in respondent's certificate not being reinstated. Said reinstatement of respondent's certificate shall not be withheld arbitrarily or without just cause.

Vote: Unanimous

03-0685 (James Runyon)

Accept Agreed Order suspending respondent's teaching certificate for two years beginning June 2, 2003. Respondent shall immediately surrender the original and all copies of his certificate to the Board, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Failure to do so shall result in further disciplinary action by the Board. Reinstatement of respondent's certificate is expressly conditioned upon the following: 1) Respondent shall submit written proof to the Board that he has successfully completed 12 hours of professional development/training, approved by the Board, in the areas of ethics and sexual harassment/boundary issues. Any expense for said training shall be incurred by respondent; and 2) Respondent shall undergo a comprehensive evaluation by a Kentucky or West Virginia licensed and/or certified physician and/or mental health professional approved by the Board. Said approval shall not be

unreasonably withheld without just cause. This physician and/or mental health professional shall present written evidence to the Board that respondent has complied with the evaluation process, has successfully completed any and all treatment recommendations and is released as both mentally and physically able to return to work in the classroom. Any expense incurred for this evaluation, treatment and/or written report shall be paid by respondent. Should respondent fail to satisfy either of these conditions, his certificate shall not be reinstated.

Vote: Unanimous

03-12148 (Annunzio Sloss)

Accept Agreed Order suspending respondent's teaching certificate for a period of one year from the date of acceptance of the Agreement by the Board. The reinstatement of respondent's certification is specifically conditioned upon providing written evidence to the Board that he was evaluated by a professional licensed in the area of chemical dependency and that he complied with all the treatment recommendations of that professional. That professional must be approved by the Board and must state that respondent is fit to return to the classroom. Respondent must produce this evidence prior to the completion of the suspension period. Should respondent fail to satisfy this condition, his certificate will not be reinstated.

Vote: Unanimous

**Findings of Fact, Conclusions of Law and Recommended Orders**

*Consideration of the following matter took place with attorneys Brenda Dinkins Allen, Cynthia Clay Grohmann, Courtney T. Baxter and Alicia A. Sneed out of the room.*

04-092 (CF) (Mark W. Lee)

Adopt the hearing officer's recommended order of default, finding petitioner in default and denying his application for renewal of his teaching certificate.

Vote: Unanimous

*Motion made by Mr. Lin, seconded by Mr. Stull, to adjourn the meeting.*

Vote: Unanimous.

The meeting adjourned at 1:30 PM.

**Next Meeting:**      **May 16, 2005**  
                             **9:00AM**  
                             **EPSB Board Room**  
                             **Frankfort, Kentucky**

